

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ JUN 25 2014 ★

TRUSTEES OF THE LOCAL 7 TILE :
INDUSTRY WELFARE FUND, TRUSTEES :
OF THE LOCAL 7 TILE INDUSTRY :
ANNUITY FUND, TRUSTEES OF THE :
BRICKLAYERS & TROWEL TRADES :
INTERNATIONAL PENSION FUND, and :
TRUSTEES OF THE INTERNATIONAL :
MASONRY INSTITUTE, :
Plaintiffs, :
-against- :
PRIDE ENTERPRISES NEW YORK, INC., :
Defendant. :
-----X

MEMORANDUM AND ORDER

13-cv-05930 (ENV) (CLP)

VITALIANO, D.J.

Plaintiffs Trustees of The Local 7 Tile Industry Welfare Fund, Trustees of The Local 7 Tile Industry Annuity Fund, Trustees of The Bricklayers & Trowel Trades International Pension Fund, and Trustees of The International Masonry Institute (collectively, the "Trustees") commenced this action against defendant Pride Enterprises New York, Inc. ("Pride"), a corporation, on October 28, 2013. Plaintiffs served the summons and complaint on the Secretary of State, as agent for Pride, on October 29, 2013, and also served Pride personally on January 6, 2014. Pride has at no point responded to the complaint, and its opportunity to do so has passed.

On the motion of the Trustees, the Clerk of Court entered a certificate of default against Pride on February 12, 2014. (Dkt. No. 7.) On April 18, 2014,

plaintiffs moved for default judgment. The motion was denied for failure to include a memorandum of law and a copy of the claim upon which the Trustees seek default. (Dkt. No. 14.) The Trustees have since complied with the applicable rules for securing a default judgment. As a result, their motion for that relief is now granted. This matter is respectfully referred to Magistrate Judge Cheryl Pollack for an inquest and a report and recommendation as to the appropriate remedies.

SO ORDERED.

s/Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge

Dated: Brooklyn, New York
June 19, 2014